

REMARKS

The January 23, 2008 Office Action regarding the above-identified application has been carefully considered; and the claim amendments above together with the remarks that follow are presented in a bona fide effort to respond thereto and address all issues raised in that Action. The claims have been amended to more clearly distinguish over art applied to reject claims in the latest Office Action.

Care has been taken to avoid entry of new matter. Claims 43 and 46 have been amended to recite user input of picture information regarding a desired layout of an image to be produced via an external device or image forming apparatus, from image data from the camera. Support for image reproduction via an external device or apparatus from image data from the camera should be readily apparent throughout the original application. For example, the summary indicated that one of the objects was to “make it possible to output image data prepared by a digital still video camera...to an image forming apparatus such as a printer or the like...”(page 11, lines 12-17). With regard to the “desired layout” terminology, the summary indicated that one of the objects was “to make it possible to record an image ... with a layout intended by a user” (page 12, lines 3-6). The flow chart in application FIG. 8 illustrates an exemplary processing for deciding the layout, and the description thereof begins in line 22 of page 32. Dependent claims 45 and 46 are amended to clarify that the offset value is a position offset value. Support for such amendment appears in the detailed description, for example at page 27, line 13, and in the discussion of FIG. 5 beginning on line 3 of page 28. Applicant respectfully submits that terms added by the claim amendments above find ample written descriptive support in the original disclosure of this and the ancestor applications, therefore those amendments do not introduce any new subject matter.

For reasons discussed below, it is believed that this case is in condition for allowance. Prompt favorable reconsideration of this amended application is requested.

The January 23, 2008 Office Action rejected claims 43-46 under 35 U.S.C. § 102(e) as anticipated by US patent no. 6,300,976 to Fukuoka. From remarks in the Action, it appears that the rejection is founded on an interpretation of the claims in such a broad fashion as to read on allegedly inherent operations of the I/O functions of the Fukuoka camera. It is respectfully submitted that the amendments to claims 43 and 44 above more narrowly define the inventive subject matter of the respective independent claims in a manner that clearly distinguishes the claims over Fukuoka.

Each of the independent claims now specifies that the picture information comprises information regarding a desired layout of an image to be produced via the external image forming apparatus (in claim 43) or the external device (in claim 44), from image data from the camera. Each of the independent claims also recites a converting/sending means for converting image data in the camera into converted image data, which it sends to an external image forming apparatus or to an external device. The conversion is done according to the picture information, that is to say, the user input information stored in the camera memory. The conversion according to the information specifically enables the external apparatus or device to form an output image of the desired layout. The dependent claims specify examples of the different types of layout related information received as the user input, such as information regarding form size, image orientation, image resolution, image magnification or a position offset value. It is believed that Fukuoka does not allow the user to input information regarding a desired layout of an image to be produced via an external image forming apparatus or device from image data from the camera, in a manner that would satisfy the requirements of the amended claims. As a result, Fukuoka does not provide means to convert image data and send converted image data to the external

apparatus or device, to enable the external apparatus or device to form an output image of the desired layout, as claimed.

The Fukuoka camera 30 includes a card connector 17 and an input/output (I/O) card 15. The I/O card 15 allows images, audio, and control information to be transmitted into and out of the camera 30. See column 2, lines 57-62. Transfers through the I/O card 15 and connector 17 are controlled by I/O control files which may be run on the camera or on the respective I/O card (see e.g. column 7, lines 57-65). In section 2 of the Detailed Action, citing text sections from lines 38-56 of column 6 and lines 37-65 of column 7, the Examiner construes relevant I/O operations of Fukuoka as follows:

In other words, the image data is inherently processed by the external devices because when a new connection is made by a user, new I/O function information is used to process the image data into a proper format for transferring; and user input information is stored in memory card 16 and can be loaded to section 54 as soon as the card connect to the card connection 17.

Even if correct (which is not conceded), such an interpretation is not enough to meet the recitations of the amended claims. Connection of one output device or other form of user selection of an output device would not satisfy requirements for user input of information regarding layout of an image to be externally produced from image data from the camera. Similarly, mere processing of the image data into a proper format for transferring to a particular external device would not satisfy requirements for producing and sending converted image data adapted to enable external formation of an output image of the desired layout, per the user input of the information regarding the desired layout.

With regard to the dependent claims, the rejection cites to column 11, lines 20-28 and lines 50-65, and to column 12, lines 11-31, of Fukuoka, for alleged disclosure of “picture information” regarding “offset values such as exposure, white balance.” The cited text in column

11, however, discusses selection of DCT encoding coefficients (lines 20-28) and a focusing technique (lines 50-65). The cited text in column 12 discloses CPU selection of camera capabilities based on I/O capabilities. Examples of the selected camera capabilities (FIG. 15) include compression, number of pixels and changing aspect. It is respectfully submitted that selection of such parameters by the CPU would not meet claim requirements regarding user input of information regarding desired layout of an image to be externally produced, as in Applicant's amended claims.

It is submitted that the information used to convert image data in Fukuoka relates to the particular external device to which the camera will supply the converted image data. The Fukuoka camera converts the image data in a manner appropriate to the particular external device, based on the associated I/O file. This does not allow user control of the layout of the image that will be produced via the external device, for example, by specifying form size, image orientation, resolution, magnification and/or position offset. Hence, it is respectfully submitted that Fukuoka does not satisfy amended claim requirements regarding user input of information regarding a desired layout of an image to be produced, and converting image data in the camera to converted data according to the picture information to enable the external apparatus or device to form an output image of the desired layout, based on the user input information. Since Fukuoka does not satisfy all requirements of the claims, that patent does not anticipate the pending claims. The anticipation rejection therefore should be withdrawn.

Upon entry of the above claim amendments, claims 43-46 remain active in this application, all of which should be novel and patentable over the art applied in the Action. Applicant therefore submits that all of the claims are in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

It is believed that this response addresses all issues raised in the January 23, 2008 Office Action. However, if any further issue should arise that may be addressed in an interview or by an Examiner's amendment, it is requested that the Examiner telephone Applicant's representative at the number shown below.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Keith E. George", written in a cursive style.

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